

“BOTTOM-LINE” FOR GENERAL SUPERVISION (GS.I & II)
PART C

APR PROBES:

GS.I Do the general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.) used by the Lead Agency identify and correct IDEA noncompliance in a timely manner?

GS.II Are systemic issues identified and remediated through the analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions?

RELEVANT PART C PROVISIONS:

- **Section 441 of General Education Provisions Act (GEPA), 20 USC 1232d(b), requires in part:**
 - (3) the State will adopt and use proper methods of administering each applicable program, including:
 - (A) monitoring of agencies, institutions, and organizations responsible for carrying out each program, and the enforcement of any obligations imposed on those agencies, institutions, and organizations under law,
 - (B) providing technical assistance, where necessary, to such agencies, institutions, and organizations,
 - (C) encouraging the adoption of promising or innovative educational techniques by such agencies, institutions, and organizations,
 - (D) dissemination throughout the State of information on program requirements and successful practices, and
 - (E) correction of deficiencies in program operations that are identified through monitoring or evaluation
- **EDGAR, 34 CFR §80.40 Monitoring and reporting program performance requires:**
 - (a) *Monitoring by grantees.* Grantees are responsible for managing the day-to-day operations of grant and subgrant activities. Grantees must monitor grant and subgrant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function or activity.
- **Part C regulations include monitoring of requirements related to:** Child find (34 CFR §303.121); Evaluations and Assessments (34 CFR §303.320 – 303.323); IFSP development, content, and implementation (34 CFR §303.340 – 303.346); Natural Environments (34 CFR §§303.12, 303.18 and 303.344(d)(1)(ii)); Transition planning (34 CFR §§303.148(b) and 303.344(h)).
- **34 CFR §303.501 Supervision and Monitoring of Programs**
(Authority: 20 U.S.C. 1435(a)(10)(A))
 - Each lead agency (a) is responsible for--(1) The general administration and supervision of programs and activities receiving assistance under this part; and (2) The monitoring of programs and activities used by the State to carry out this part, whether or not these

programs or activities are receiving assistance under this part, to ensure that the State complies with this part.

(b) Methods of administering programs. In meeting the requirement in paragraph (a) of this section, the lead agency shall adopt and use proper methods of administering each program, including--(1) Monitoring agencies, institutions, and organizations used by the State to carry out this part; (2) Enforcing any obligations imposed on those agencies under part C of the Act and these regulations; (3) Providing technical assistance, if necessary, to those agencies, institutions, and organizations; and (4) Correcting deficiencies that are identified through monitoring.

WHAT CONTENT MUST EACH STATE INCLUDE IN ITS APR?

- **General Supervision Instruments and Procedures**

The State must report how the general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.), used by the Lead Agency, identify and correct IDEA noncompliance in a timely manner.

1. The State must describe, at a minimum, its monitoring, complaints and hearing resolution systems.
2. The State must address timely identification and correction of noncompliance through monitoring, complaints and hearing resolution. The State should describe the different methods that it uses to identify noncompliance in the context of the data for the reporting period and how these methods vary by the different State and local agencies and providers that are part of the Part C system.
3. For monitoring, the State must address how it corrects all noncompliance, including nonsystemic noncompliance, in a timely manner. The State should describe the different methods it uses for correction (and how these methods vary by the different State and local agencies and providers that are part of the Part C system), and how the State determines that the noncompliance has been corrected in the context of the data for the reporting period. The State may wish to include updated correction data (from a different or future reporting period) if it provides a fuller picture of the State's correction efforts.

- **Systemic Issues Identified and Remediated Through Analysis of Information and Data**

The State should report how systemic issues are identified and remediated through the analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions.

1. The State must describe how it uses monitoring, complaints and due process to identify systemic issues.
2. The State must discuss its efforts in remediation of systemic issues and how it is verifying that remediation efforts have been effective in the context of data for the current reporting period. The State should add data from a future reporting period if it provides a fuller picture of the State's remediation efforts.

WHAT ADDITIONAL CONTENT MUST THE STATE INCLUDE IF IT IDENTIFIES ANY NONCOMPLIANCE?

For any area of noncompliance that the State identifies, it must include a plan, including strategies, proposed evidence of change, targets and timelines designed to ensure correction of the noncompliance within a reasonable period of time, not to exceed one year from the date OSEP accepts the plan. For example, if the State determines that it is not correcting noncompliance in a timely manner, it must include a plan in the APR to ensure timely correction of noncompliance.